

**KATE McKENNA, AICP**  
**Executive Officer**

**MINUTES OF**  
**LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY**  
*Adopted April 24, 2006*

**Regular Meeting**  
**Monday, March 27, 2006, 4:00 p.m.**  
**Board of Supervisors Chambers**  
**Monterey County Government Center**  
**168 West Alisal, First Floor**  
**Salinas, California**

The meeting of the Local Agency Formation Commission (LAFCO) of Monterey County was called to order by Chair Calcagno at 4:02 p.m. in the Monterey County Board of Supervisors Chambers. Commissioner Perkins led the Pledge of Allegiance.

**ROLL CALL**

**Members Present**

Chair Calcagno (*County Member*)  
Commissioner Caballero, Vice-Chair (*City Member*)  
Commissioner Darington, Alternate (*Public Member*)  
Commissioner DiMaggio (*Public Member*)  
Commissioner Gourley, Alternate (*City Member*)  
Commissioner McGowan (*Special District Member*)  
Commissioner Perkins (*Special District Member*)  
Commissioner Shirrel, Alternate (*Special District Member*)  
Commissioner Smith (*County Member*)

**Members Absent**

Commissioner Armenta, Alternate (*County Member*)  
Commissioner Costello (*City Member*)

**Staff Present**

Kate McKenna, AICP, Executive Officer  
Dennis LeClere, LAFCO Counsel  
Rachelle Jones, LAFCO Clerk

**Item 4: Approval of Minutes**

**4.a Approval of Minutes of the February 27, 2006 Regular LAFCO Meeting.**

Commission discussed accuracy of Items 8.d (City of Gonzales Annexation – *LAFCO File No. 05-13*) and 8.e (Carmel Valley Fire Protection District, Draft Resolution – *LAFCO File No. 04-04*), of the minutes of February 27, 2006.

Upon Motion of Commissioner Gourley, seconded by Commissioner Caballero, minutes of the February 27, 2006 Regular LAFCO meeting, were approved with amendments to be made to items 8.d (City of Gonzales Annexation – *LAFCO File No. 05-13*) and 8.e (Carmel Valley Fire Protection District, Draft Resolution – *LAFCO File No. 04-04*), by the following vote:

AYES: Commissioners Gourley, Caballero, DiMaggio, and Smith  
NOES: Commissioners Calcagno and Perkins  
ABSTAIN: Commissioner McGowan

**Item 5: Public Comment:**

None

**Item 6: Commissioner Comment:**

Commissioner Gourley clarified that there are no sewage or Williamson Act issues in regards to the Gonzales Annexation approved at the February 27 regular LAFCO meeting.

**Item 7 a - b: Consent Agenda:**

Executive Officer McKenna provided staff report.

Commissioner Shirrel drew attention to minor spelling correction. Should be MRWPCA and not MCWPCA in Item 7.b anticipated future agenda items.

Upon Motion of Commissioner Smith, seconded by Commissioner DiMaggio, consent agenda items: receive check register for February 2006, and receive status report on anticipated future Agenda Items, were unanimously approved.

**Item 8: New Business**

**8.a LAFCO Mid-Year Financial Report**

**Receive Presentation, Consider and Approve Format, Consider and Accept Report.**

Executive Officer McKenna provided report.

Upon Motion of Commissioner Gourley, seconded by Commissioner Smith, LAFCO Mid-Year Financial Report format and report was unanimously approved.

**8.b Consider Amendment to Fiscal Year 2005-06 Budget, to Transfer Funds From**

**Employee Salaries/Benefits to Temporary In-House Professional Services with no Net Change to Overall Budget.**

Executive Officer McKenna provided staff report.

Upon Motion of Commissioner Gourley, seconded by Commissioner DiMaggio, Amendment to Fiscal Year 2005-06 Budget, to transfer funds from employee salaries/benefits to temporary in-house professional services with no net change to overall budget was unanimously approved.

**8.c Appoint LAFCO Public Member Nominating Committee**

Executive Officer McKenna provided staff report.

Upon Motion of Chair Calcagno, there being no objection, Chair Calcagno and Commissioners McGowan and Costello were appointed to serve on nominating committee to evaluate candidates for the LAFCO public and alternate public member Commissioner positions.

**Item 9: Public Hearing**

**9 .a Consider Preliminary FY 2006-07 LAFCO Budget and Work Program**

Executive Officer McKenna provided report. There were no public comments.

Upon motion of Commissioner McGowan, seconded by Commissioner Perkins, Preliminary FY 2006-07 LAFCO Budget and Work Program were unanimously approved.

**Item 10: Executive Officer's Report**

Executive Officer McKenna explained some of the complexities and LAFCO issues involved with an agreement that the City of Salinas has entered into with Don Chapin encouraging him to submit an application for a Sphere of Influence update, and informed Commission that this proposal may come before them in the near future.

**Item 11: Correspondence**

None

**Item 12: Closed Session**

**12.a Public Employee Performance Evaluation pursuant to Gov. Code Section §54957. Position: LAFCO Executive Officer. Reconvene in open session and report any actions taken.**

**12.b Under Government Code Section 54950 et. seq.**

**(1) Pursuant to Government Code Section 54956.9 (a) – Existing Litigation**

**The Commission will Confer with Legal Counsel Regarding the Following Item:**

**Save Our Waterfront Committee VS. City of Monterey; City Council of the City of Monterey; Local Agency Formation Commission of Monterey County, et al., Respondents & Defendants: Cannery Row Marketplace, LLC, et al., Real Parties in Interest – Superior Court Case Number M78054**

**(2) Pursuant to Government Code Section 54956.9 (b) – Potential Litigation The Commission will Confer with Legal Counsel Regarding One Item of Significant Exposure to Litigation: Carmel Valley Incorporation Proposal (*LAFCO File No. 03-10*)**

Chair Calcagno moved that Commission and LAFCO Counsel meet in closed session chambers to discuss items 12.a and b (1) and (2).

Commission reconvened in open session. Counsel LeClere announce that the Commission has retained and authorized Best, Best, and Krieger. It was also reported that Executive Officer McKenna received a high rating score, on her evaluation.

**Item 13: Adjournment**

On motion of Chair Calcagno, there being no objection, the meeting was adjourned at 5:05 p.m. to the next regular LAFCO meeting to be held on Monday, April 24, 2006 at 4:00 p.m. in the Board of Supervisors Chamber, 168 W. Alisal St., First Floor, Salinas, California.

Respectfully Submitted,

Rachelle Jones  
LAFCO Clerk